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RUEHGV/USMISSION GENEVA PRIORITY 1561
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C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 000582

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TAGS: [PGOV](#) [PTER](#) [PREF](#) [BH](#) [NP](#)

SUBJECT: HOME MINISTER SAYS TRUST IS BIGGEST HURDLE WITH
MAOISTS

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d)

Summary

¶1. (C) Home Minister Sitaula told the Ambassador March 17 that the biggest difficulty the Government of Nepal (GON) faced in forming an interim government with the Maoists was "biswas" (trust). He noted that the Maoists had started to return some land they had seized but continued to violate many of their peace process commitments. The Ambassador asked when the GON intended to start arresting Maoists found carrying illegal weapons. Sitaula insisted it would be possible to make such arrests after the Maoists joined an interim government. Home Secretary Mainali explained that the 61 Maoists who were currently in jail had been arrested since the April 2006 People's Movement. The Ambassador emphasized that voters needed to be reassured. If arrests were not made of Maoists flouting the law, the peace process and the planned Constituent Assembly elections would fail, which would put the GON in an even more difficult spot. The Home Minister noted that the Maoists were still pushing for key ministries such as Defense, Home and Finance, but concurred with the Ambassador that this was probably just a negotiating tactic. The Ambassador also urged the Home Minister to do what he could to expedite the processing for third-country resettlement of 36 vulnerable Bhutanese refugees.

A Problem of Trust

¶2. (C) On March 17, Home Minister Krishna Prasad Sitaula remarked to the Ambassador that the most difficult challenge the GON faced in dealing with the Maoists was "biswas" (trust). The Maoists wanted to join an interim government but were still not acting as they should. They were not giving the Seven-Party Alliance much reason to trust them. The Home Minister noted that the Maoists had returned some of the property they had seized during the insurgency, citing examples in Dang District in Mid-West and Parsa in Central Nepal. But they continued to violate other commitments they had made in the peace agreements.

When Will Arrests Start?

¶3. (C) The Ambassador asked when the GON intended to start arresting Maoists who were carrying illegal weapons. He mentioned specifically the large number of Chinese pistols that Maoist cadre were reportedly carrying. Sitaula and Home Secretary Mainali admitted that the issue of small arms was a

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problem. The Home Minister insisted, however, that the GON was prepared to arrest anyone found carrying an illegal weapon. He added, in response to a question from the Ambassador, that the GON would be able to enforce the ban on illegal weapons once the Maoists joined the Interim Government. Mainali noted that the 61 Maoists who were reportedly in jail at present had been arrested since the People's Movement in April 2006. The Home Secretary stated that the GON was in the process of reviewing their records to determine the nature of their crimes. They might be released as a good will gesture toward the Maoists. Sitaula pointed out that it was perhaps unfair to keep these low-level Maoists in jail when the chief Maoist, and lawbreaker, Prachanda was free.

Peace Process Will Fail If No Law Enforcement

¶4. (C) The Ambassador said that he recognized the GON might have to take some steps to move the peace process forward, but it was crucial to reassuring Nepali voters and the Nepali public that the GON enforce the rule of law. Maoists were roaming the country with weapons with impunity: this was unacceptable. The Ambassador warned that if the law was not enforced and violators arrested, the peace process would

KATHMANDU 00000582 002 OF 002

fail. The same was true of the planned Constituent Assembly elections. The international community wanted to assist the GON in holding an election which was free and fair. If, however, it became apparent that the election had not met that standard, the international community would be obliged to say so publicly. A flawed election would put the GON in an even more difficult predicament domestically and internationally. The Ambassador urged the Home Minister to do what he could to prevent such an outcome.

Maoists Pushing for Key Ministries

¶5. (C) The Home Minister stated that the Maoists were continuing to push strongly for several of the key ministries in the Interim Government, including Defense, Home and Finance. They wanted a Deputy Prime Ministership, and had mentioned the Foreign Ministry as well. Sitaula reported that Prime Minister Koirala had no intention of giving them those key ministries. The Ambassador speculated that the Maoists were doing so in order to put pressure on the GON for the ministries they really wanted. The Home Minister concurred. Sitaula also characterized periodic threats by the Maoists to stay out of the Interim Government as another Maoist negotiating tactic.

Help With Vulnerable Bhutanese Refugees Requested

6.(C) The Ambassador asked the Home Minister for his assistance in processing as soon as possible the 36 additional vulnerable Bhutanese refugees that the Office of the UN High Commissioner for Refugees (UNHCR) had presented to the GON for resettlement. Home Secretary Mainali noted that 16 vulnerable Bhutanese refugees had already left. The Ambassador said they were part of a previous group of vulnerable refugees; three of them had gone to the United States. The Ambassador added that he recognized that the GON had a number of issues with processing urban refugees but he

trusted that the GON would not have any issues with the 36. The latter group was a simple humanitarian issue.

Comment

¶7. (C) Home Minister Sitaula has heard the message repeatedly from us that the law needs to be enforced if the peace process and the elections are going to succeed. Whether he is willing to do so remains to be seen. Ultimately, it may take a new Home Minister to change the GON's policy of tolerating Maoist impunity that has largely prevailed here since the peace process began in 2006.

MORIARTY